

addition to and in connection with the plant required under the Acts above referred to, for the joint use of the State of Texas and city of Austin, said experimental sewage treatment plant to be constructed according to the plans and specifications provided by the State Board of Health and at a cost not to exceed \$2,500, but without expense to the State of Texas, and shall upon demand of the State deliver water to the premises of the State departments and institutions situated and to be situated within the limits of the city of Austin, at the cost of delivery thereof. The city shall be obligated to construct its sanitary sewer mains to the premises of the various State departments and institutions situated within the corporate limits of the city, but all State institutions situated outside of the corporate limits of the city shall be allowed to connect sanitary sewer mains to the city sanitary sewer mains, as such mains may then exist, at the most convenient point thereof, and the city shall not be obligated to make any extensions or additions in order to make such last named connections. The State shall permit the city to lay and maintain its sanitary sewer mains on and across State property, whenever it shall become necessary to serve the various State institutions under the provisions of this Act or to provide sewerage facilities for isolated sections of the city, but the city shall restore to its former condition all such property after the construction or repair thereon of any such sewer mains. The city shall not be obligated to carry off storm water through its sanitary sewer mains, but shall provide for the removal of laundry wastes originating at the various State departments and institutions so connected with its said sewer mains. The State shall not be responsible for the cost of any repairs to the sanitary sewer mains and laterals within the city, except such repairs as may become necessary on connecting mains and laterals built by the State and upon State premises; but the State shall allow no substance that may be detrimental to the materials composing the mains of the city, nor which will clog the same, nor which will be detrimental to the proper purifying action in the sewage disposal plant that will hereafter be established by the city, nor which will be injurious

to such plant itself, to enter its connecting mains from its own premises, and the State will comply with all reasonable rules and regulations that may be adopted or enacted by the city for the protection and proper operation of its sewer plant.

Sec. 4. The fact that the State of Texas gets its water supply for its various departments and educational and eleemosynary institutions situated within the city of Austin from the water plant of said city, the filtering trenches of which are located upon the land herein granted, and the fact that the State cannot complete a water plant for its own use without a much greater expense than the value of the land herein granted and without such delay as might prove dangerous to the public health, and the fact that conditions now exist in and adjacent to the land herein granted which have already and are liable to more extensively pollute the source of supply of said water and thereby endanger the public health, and the fact that such conditions can best be corrected and the public health best subserved by the immediate granting to the city of Austin of said land so as to enable said city to control and police same absolutely and to make all necessary corrections at its own expense, creates an emergency and imperative public necessity requiring that the constitutional rule that bills be read on three several days shall be suspended and it is hereby suspended and this Act shall take effect from and after its final passage, and it is so enacted.

TWELFTH DAY.

Senate Chamber,

Austin, Texas,

Thursday, May 3, 1917.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Suiter.

By unanimous consent the Chair announced that the Senate would stand at ease for thirty minutes, at the expiration of which time the roll was called, a quorum being present, the following Senators answering to their names:

Bailey.

Clark.

Buchanan of Bell. Dayton.

Buchanan of Scurry. Dean.

Caldwell.

Decherd.

Floyd.	Lattimore.
Gibson.	McCollum.
Hall.	McNealus.
Harley.	Robbins.
Henderson.	Smith.
Hudspeth.	Strickland.
Hopkins.	Suiter.
Johnson of Hall.	Westbrook.
Johnston of Harris	Woodward.

Absent.

Bee.	Page.
King.	Parr.

Absent—Excused.

Alderdice.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus

Excused.

Senators Smith and Parr for the remainder of the current week, on motion of Senator Hudspeth.

Senator Bee, on motion of Senator Page, for the same days.

Petitions and Memorials.

See Appendix.

Committee Reports.

See Appendix.

Bills Signed.

The Chair (President Pro Tem. Suiter) gave notice of signing and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. C. R. No. 3, inviting the Hon. Theodore Roosevelt to address the House and Senate.

H. B. No. 11, A bill to be entitled "An Act creating the Armstrong Independent School District of Bell County, Texas, with certain metes and bounds; providing for the election of trustees of said school district; naming the trustees and officials and their terms of office; and caring for the present bonded indebtedness on said territory as embraced in the Armstrong Common School

District, and declaring an emergency."

Messages from the Governor.

Here the following messages from the Governor were received and laid before the Senate:

Governor's Office

Austin, Texas, May 3, 1917.

To the Thirty-fifth Legislature in Called Session.

At the request of Senator A. R. McCollum, I hereby submit for your consideration a bill, hereto attached, being an Act amending Article 2939, Chapter 4, Title 49, Revised Civil Statutes of the State of Texas of 1911, and to regulate elections, and prescribing certain qualifications of voters thereat.

Respectfully submitted,

JAS. E. FERGUSON,

Governor of Texas.

Governor's Office,

Austin, Texas, May 3, 1917.

To the Thirty-fifth Legislature in Called Session.

I hereby submit for your consideration a bill, hereto attached, being an Act concerning loan and investment companies, defining same and providing for their incorporation, powers and supervision.

Respectfully submitted,

JAS. E. FERGUSON,

Governor of Texas.

Governor's Office,

Austin, Texas, May 3, 1917.

To the Thirty-fifth Legislature in Called Session.

At the request of Senator John H. Bailey, I hereby submit for your consideration a bill, hereto attached, being an Act authorizing the commissioners' court of any county in Texas, at any time while a state of war exists between the United States and another nation or nations, to confirm the appointment by the sheriff of said county of any number of deputy sheriffs deemed necessary by the court, and to make provision for compensation of all deputies so confirmed, in all instances where revenues from fees of said sheriff's office

are deemed by the court insufficient for such purpose.

Respectfully submitted,

JAS. E. FERGUSON,
Governor of Texas.

Governor's Office,
Austin, Texas, May 3, 1917.

To the Thirty-fifth Legislature in Called Session.

At the request of Honorable George Mendell, I hereby submit for your consideration a bill, hereto attached, being an Act to make fraudulent advertising a penal offense, and prescribing a penalty and making each day the same is committed a separate offense, together with such additions and amendments as the Legislature may in its wisdom determine.

Respectfully submitted,

JAS. E. FERGUSON,
Governor of Texas.

Governor's Office,
Austin, Texas, May 3, 1917.

To the Thirty-fifth Legislature in Called Session.

I desire to submit for your consideration the matter of fixing and establishing adequate salaries for all officers of our State government, and likewise of all clerks and assistants and other help employed by said officers, and likewise the matter of all traveling and other office expenses pertaining to said offices. I would not fix the salaries too high, nor would I fix them too low; but from information received it is apparent that there should be some readjustment. Therefore I submit for your consideration the matter of salaries and expenses for all officers in the State.

Respectfully submitted,

JAS. E. FERGUSON,
Governor of Texas.

Bills and Resolutions.

By Senators McNealus and Harley:

S. B. No. 32, A bill to be entitled "An Act concerning loan and investment companies, defining same, and providing for their incorporation, powers and supervision."

Read first time and referred to Committee on Insurance and Banking.

By Senator McCollum:

S. B. No. 33, A bill to be entitled "An Act amending Article 2939, Chapter 4, Title 49, Revised Civil Statutes of the State of Texas, 1911, and to regulate elections, and prescribing certain qualifications of voters thereat, and declaring an emergency."

Read first time and referred to Committee on Privileges and Elections.

By Senator Lattimore:

S. B. No. 34, A bill to be entitled "An Act providing that the salaries of the Dairy and Food Commissioner, the two assistant chemists, the stenographer and the two inspectors appointed by the Dairy and Food Commissioner shall be such as is fixed by the general appropriation bill; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Bailey:

S. B. No. 35, A bill to be entitled "An Act authorizing the commissioners' court of any county in Texas, at any time while a state of war exists between the United States and another nation or nations, to confirm the appointment by the sheriff of said county of any number of deputy sheriffs deemed necessary by the court, and to make provision for compensation of all deputies so confirmed, in all instances where revenues from fees of said sheriff's office are deemed by the court insufficient for such purpose."

Read first time and referred to Committee on Civil Jurisprudence.

An Invitation.

The Chair land before the Senate an invitation from Dr. E. D. Shurter to the members of the Legislature to attend a meeting of delegates to the University Interscholastic League and a supper at the men's gymnasium at 6 o'clock p. m. May 5th.

Simple Resolution No. 26.

Whereas, Dr. E. D. Shurter, State chairman of the University Inter-

scholastic League, has very courteously extended an invitation to the Senate to attend the get-together meeting and supper to be held at the men's new gymnasium at the University, at 6 o'clock Saturday afternoon, May 5th, and has invited the Senate to meet the delegates in the House of Representatives at 10 o'clock Saturday; therefore, be it

Resolved by the Senate, That we accept the invitation extended us, and that we extend to Dr. Shurter our sincere thanks for his kindness.

HARLEY.

The resolution was read and adopted.

House Concurrent Resolution No. 2.

The Chair laid before the Senate on second reading:

H. C. R. No. 2, recommending the construction by the Federal Government of a military highway along the southwestern boundary of the United States.

The committee report that the bill be not printed was adopted.

Senator Harley offered the following amendment, which was read and adopted:

Amend House Concurrent Resolution No. 2, by adding after the word "California" at the end of the fourth paragraph, the following: "and that said highway extend northward on Texas and California coasts at least 150 miles."

On motion of Senator Robbins, the resolution as amended was adopted.

Morning call concluded.

Senate Bill No. 13.

The Chair laid before the Senate as regular order on its third reading:

S. B. No. 13, A bill to be entitled "An Act to provide for the appointment of officers of the National Guard of Texas and prescribing their qualifications and tenure of office; providing for the term and requirements for enlistment and the qualifications of enlisted men of the National Guard of Texas, and to repeal Articles 5802 and 5804, Revised Civil Statutes, 1911, and all other laws and parts of laws in conflict herewith."

The bill was laid before the Sen-

ate, read third time and, on motion of Senator Harley, was passed by the following vote:

Yeas—25.

Bailey.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Dayton.	Lattimore.
Dean.	McCollum.
Decherd.	McNealus.
Floyd.	Page.
Gibson.	Robbins.
Hall.	Strickland.
Harley.	Sulter.
Henderson.	Westbrook.
Hopkins.	Woodward.
Hudspeth.	

Absent.

Caldwell.	Parr.
Clark.	Smith.

Absent—Excused.

Alderdice.	Bee.
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Reasons for Vote.

I vote aye on this bill with misgivings and doubt. I am heartily in favor of any necessary war plans of our government which may be necessary for us to fight quick and hard and soon have it over, but I do not want to place Texas any more in the war line after this present war is over than I have to. I have tried to amend the bill to make it conform to the National Defense Act, but was voted down. I am yielding my judgment with reluctance.

LATTIMORE.

Senator Harley moved to reconsider the vote by which Senate Bill No. 13 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 20.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 20, A bill to be entitled "An Act to create a common county line school district to be known as the Bethel District No. 34, to be under the jurisdiction, management and control of the commissioners' court, Stonewall County, Texas; to be composed of territory described in this

Act lying in the Counties of Stone-wall and Jones in this State, and defining the rights, powers and privileges of such district, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Buchanan of Scurry the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 20 put on its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Clark.	Lattimore.
Dayton.	McCollum.
Dean.	McNealus.
Decherd.	Page.
Floyd.	Robbins.
Gibson.	Strickland.
Hall.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.

Absent.

Caldwell.	Parr.
Harley.	Smith.
King.	

Absent—Excused.

Alderdice.	Bee.
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The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Scurry, was passed by the following vote:

Yeas—25.

Bailey.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.
Hudspeth.	

Absent.

Caldwell.	King.
Harley.	Parr.

Absent—Excused.

Alderdice.	Bee.
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Senate Bill No. 10.

The Chair laid before the Senate on second reading:

S. B. No. 10, A bill to be entitled "An Act making appropriations to pay salaries of judges, and for the support of the judicial department of the State government for two years, beginning September 1, 1917, and ending August 31, 1919; and declaring an emergency."

On motion of Senator Hudspeth, the bill was laid on the table subject to call.

Senate Bill No. 14.

The Chair laid before the Senate as regular order on second reading:

S. B. No. 14, A bill to be entitled "An Act making an appropriation of one million dollars or so much thereof as may be necessary out of the general revenue or any other available funds for the purpose of providing for the pay, transportation, subsistence and all other expenses of the military forces of the State when ordered on duty or when mobilized or when recruiting and organizing troops or when ordered on military duty; providing for the pay, transportation and expense of officers on active duty or while serving on military courts and boards; providing for mileage and per diem and expense of witnesses appearing before military courts and boards; providing for armory and storage facilities and organization; providing for training, mobilizing and subsisting, paying, equipping, preparing for muster into and out of Federal service; providing for organizing, maintaining and equipping school of instruction for officers or enlisted men; providing for books and supplies; providing for necessary chemical assistance and labor in storage rooms, arsenals, armories and headquarters; providing for transportation of stores and supplies and laundry and care of uniforms and equipment and for hire, purchase, transportation and subsistence of animals, and for printing, stationery, postage, telephoning, telegraphing and for the purchase of stores, supplies, uniforms, arms and equipment; providing for the pay for the Adjutant General, chief clerk, stenographers, porter and other additional help in the Adjutant's de-

partment, and for stationery, printing, postage and other expenses of that department; providing for all other military expenses of whatsoever character, and declaring an emergency."

(Senator Dean in the chair.)

Senator Suiter offered the following amendment, which was read and adopted:

(1) Amend Senate Bill No. 14, page 3, by inserting a new section to be known as Section 2, and which shall read as follows:

"Sec. 2. Any and all amounts that may be expended as provided by this Act shall be paid only on itemized accounts, sworn to by the party expending the same, and showing the time, purpose and for what said amount was expended and by whom, which said itemized accounts shall be approved by both the Adjutant General and the Governor of Texas before their payment; provided, that no part of the amount herein appropriated shall be paid out for any purpose other than as herein specifically provided; and provided further, that no deficiency shall be created, nor shall any warrants be issued or obligations incurred in excess of the amount herein appropriated."

And renumbering the present Section 2 to correspond with this amendment.

Senator Page offered the following amendment, which was read and adopted:

(2) Amend the bill by striking out the figures \$600.00 in line 3 on page 3 of the printed bill and insert in lieu thereof \$480.00

Senator Harley offered the following amendment, which was read and adopted:

(3) Amend Senate Bill No. 14, page 2, line 3, by striking out the word "be" in line 3, and insert in lieu thereof the words "is hereby."

Senator Lattimore offered the following amendment, which was read and adopted:

(4) Amend Senate Bill No. 14, page 3, line 2, by striking out the word "two," and insert the word "one," and by striking out the letter "s" at the end of the word "stenographers."

Senator Page offered the following amendment, which was read and adopted:

(5) Amend the bill by striking out the semicolon at the end of line 3 on page 3, and insert the following: "not to exceed six clerks, who shall draw salaries not exceeding \$1,200.00 per year each, said clerks to be retained for such terms as their services may be absolutely necessary."

Senator Lattimore offered the following amendment, which was read and adopted:

(6) Amend Senate Bill No. 14, line 2, page 3, by striking out the figures \$2,000.00 and inserting the figures \$1,800.00.

Senator Bailey offered the following amendment, which was read and adopted:

(7) Amend Senate Bill No. 14, page 2, line 13, by inserting after the word "board" the words "which mileage and per diem shall be the same as that permitted by the statutes of this State for witnesses attending the district courts of this State in felony cases," and also amend the caption so as to conform to this amendment.

Senator Suiter offered the following amendment, which was read and adopted:

(8) Amend the caption of Senate Bill No. 14 by inserting in line 32, page 1, after the word "character" and before the word "and" the following:

"Providing how accounts drawn against this fund shall be made out and by whom approved."

Senator Buchanan of Scurry offered the following amendment, which was read:

(9) Amend Senate Bill No. 14, Section 1, page 2, line 4, by striking out the words "one million" and inserting in lieu thereof the words "five hundred thousand," also amend caption to conform to this amendment.

Pending discussion, Senator Lattimore offered the following amendment to the foregoing amendment:

Amend the amendment by substituting the words "one hundred thousand" for the words "five hundred thousand."

Pending.

(President Pro Tem. Suiter in the chair.)

Message from the House.

Hall of the House of Representatives.
Austin, Texas, May 3, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House
Concurs in Senate amendments to
House Concurrent Resolution No. 2.
Concurs in Senate amendments to
House Concurrent Resolution No. 3.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Adjournment.

At 12:40 o'clock p. m. Senator Clark moved that the Senate adjourn until 10 o'clock tomorrow morning.

As a substitute, Senator McNealus moved to adjourn until 10 o'clock Monday morning, which motion prevailed by the following vote:

Yeas—15.

Buchanan of Bell.	Lattimore.
Dean.	McNealus.
Decherd.	Robbins.
Floyd.	Strickland.
Harley.	Suiter.
Henderson.	Westbrook.
Johnson of Hall.	Woodward.
Johnston of Harris	

Nays—11.

Bailey.	Hall.
Buchanan of Scurry.	Hopkins.
Caldwell.	Hudspeth.
Clark.	King.
Dayton.	Page.
Gibson.	

Absent.

McCollum.

Absent—Excused.

Alderdice.	Parr.
Bee.	Smith.

APPENDIX.**Petitions and Memorials.**

Senator Caldwell sent up an invitation from the University to attend a military parade May 3 at 5 o'clock, by the student military companies that are to go into training at Leon Springs.

The members of the Senate are invited to the interscholastic rally at the University Saturday afternoon, May 5, in a letter offered by Senator Harley.

Strong opposition to the Bee textbook bill was indicated by telegrams to Senators Woodward, Henderson, Westbrook, Johnston of Harris.

Engrossing Committee Reports.

Committee Room.

Austin, Texas, May 3, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 20 carefully compared, and finds the same correctly engrossed.

WESTBROOK, Vice Chairman.

Committee Room,

Austin, Texas, May 3, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 13 carefully compared, and finds the same correctly engrossed.

WESTBROOK, Vice Chairman.

Committee Reports.

Committee Room,

Austin, Texas, May 3, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 1,

Have had the same under consideration, and beg leave to report it back to the Senate, with the recommendation that it do not pass, but that the following committee substitute pass in lieu thereof, and be not printed, and that the substitute be not printed in the Journal.

HUDSPETH, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, May 3, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 23, A bill to be entitled

"An Act to provide a home for lepers, and to provide for the isolation, care and treatment of persons suffering with leprosy, and to make an appropriation therefor, and declaring an emergency."

Have had the same under consideration and now beg to report it back to the Senate, with the recommendation that it do pass.

McNealus, Chairman; Strickland, Clark, Decherd, Henderson.

(Floor Report.)

Senate Chamber.

Austin, Texas, May 3, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Finance Committee, to whom was referred

H. B. No. 5, A bill to be entitled "An Act making an appropriation of nine hundred and ninety-nine thousand dollars (\$999,000.00) for the fiscal year ending August 31, 1918, to be added to the one thousand dollars appropriated under the provisions of House Bill No. 226, Acts of the Thirty-fifth Legislature, Regular Session, 1917, and to be used under the provisions of said House Bill No. 226, just as if it had been made a part of said appropriation in the first case, and creating an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass and be printed in the Journal only.

Hudspeth, Chairman; Caldwell, Page, Johnson, Westbrook, Decherd, Clark, Hopkins, Johnston of Harris, Dean.

H. B. No. 5.

By Bell.

A BILL
To Be Entitled

An Act making an appropriation of nine hundred and ninety-nine thousand dollars (\$999,000.00) for the fiscal year ending August 31, 1918, to be added to the one thousand dollars appropriated under the provisions of House Bill No. 226, Acts of the Thirty-fifth Legislature, Regular Session, 1917, and to be used under the provisions of said House Bill No. 226, just as if it had been made a part of said appropriation in the first case, and creating an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the sum of nine hundred and ninety-nine thousand dollars, or such part thereof as may be necessary, is hereby appropriated out of any money in the State Treasury not otherwise appropriated, for the fiscal year ending August 31, 1918, to be added to the one thousand dollars appropriated under House Bill No. 226, Acts of the Thirty-fifth Legislature, Regular Session, 1917; said amount of nine hundred and ninety-nine thousand dollars to be used in accordance with the provisions and specifications of said House Bill No. 226, just as if it had been made a part of said appropriation of the one thousand dollars set apart under the provisions of said House Bill No. 226, in the first case.

Sec. 2. The fact that only one thousand dollars was appropriated under the provisions of House Bill No. 226, Acts of the Thirty-fifth Legislature, Regular Session, 1917, for the fiscal year ending August 31, 1918, whereas it was clearly the intention of the Legislature to appropriate one million dollars for said purpose, and the further fact that there is a great demand upon the part of the people for correcting this error of appropriation, create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this Act take effect and be in force under the provisions of said House Bill No. 226 after its passage, and it is so enacted.

THIRTEENTH DAY.

Senate Chamber,

Austin, Texas,

Monday, May 7, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Clark.
Bee.	Dayton.
Buchanan of Bell.	Dean.
Buchanan of Scurry.	Floyd.
Caldwell.	Gibson.